

## REMARKS

### Claim rejections - 35 U.S.C. § 112

The Examiner rejected claims 19-33 under 35 U. S. C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 19 to claim the apparatus for dispensing electrically charged particles of a coating material. Applicant submits that the Examiner's rejection to claims 19-33 is therefore overcome.

### Claim rejections - 35 U.S.C. § 102

The Examiner rejected claims 1, 15, 19 and 20 under 35 U. S. C. § 102. The Examiner relied upon Kazutake et al. Japan Patent 10-057848 (hereinafter Kazutake) to support this rejection.

Claims 1 and 19 have been amended. Claims 3-4 and 22-23 have been cancelled without prejudice.

Claim 1 now recites:

“[a] method of dispensing electrically charged particles of a coating material toward an object to be coated thereby, the method including providing a source of the coating material, providing a supply of electrical charge, providing a dispenser including a generally cup-shaped component having a perimetally extending lip, providing a diffuser component having a perimetally extending lip, and defining between the lips of the generally cup-shaped component and diffuser component a discharge region for dispensing the charged particles of coating material, providing on the diffuser component the first electrode, the first electrode spaced a first distance from the object, coupling the source of coating material to the dispenser, providing multiple second electrodes and arraying the multiple second electrodes around the dispenser at a second distance from the object, the second distance being greater than the first distance, and coupling both the first electrode and the second electrodes to the supply of electrical charge.”

Claim 19 now recites:

“[a]pparatus for dispensing electrically charged particles of a coating material toward an object to be coated thereby, the apparatus including a port through which coating material is introduced, a terminal through which electrical charge is introduced, a dispenser including a generally cup-shaped component having a perimetally extending lip, a diffuser component having a perimetally extending lip, and a discharge region defined between the lips of the generally cup-shaped

component and diffuser component for dispensing the charged particles of coating material, a first electrode provided on the diffuser component, the first electrode proportioned to be spaced a first distance from such an object, the port being coupled to the dispenser, and multiple second electrodes arrayed around the dispenser and proportioned to be spaced at a second distance from such an object, the second distance being greater than the first distance, both the first electrode and the multiple second electrodes being coupled to the terminal.”

Kazutake does not disclose or suggest a method of dispensing electrically charged particles of a coating material toward an object to be coated thereby including providing, *inter alia*, a dispenser including a generally cup-shaped component having a perimetally extending lip, a diffuser component having a perimetally extending lip, and defining between the lips of the generally cup-shaped component and diffuser component a discharge region for dispensing the charged particles of coating material.” Neither does Kazutake disclose nor suggest that the first electrode is on the diffuser component.

Kazutake does not disclose or suggest an apparatus for dispensing electrically charged particles of a coating material toward an object to be coated thereby including, *inter alia*, a dispenser including a generally cup-shaped component having a perimetally extending lip, a diffuser component having a perimetally extending lip, and a discharge region defined between the lips of the generally cup-shaped component and diffuser component for dispensing the charged particles of coating material. Neither does Kazutake disclose nor suggest the first electrode on the diffuser component.

Applicant submits that since independent claims 1 and 19 distinguish patentably from the prior art of record, dependent claims 15 and 20, which depend directly or indirectly from claims 1 and 19, patentably distinguish from the prior art of record as well. Accordingly, Applicant submits that the 35 U. S. C. § 102 rejection of claims 1, 15, 19 and 20 is overcome. Further favorable consideration, culminating in allowance of claims 1, 15, 19 and 20 is respectfully requested.

#### Claim rejections - 35 U.S.C. § 103

The Examiner rejected claims 1, 15-20 and 30-33 under 35 U. S. C. § 103. The Examiner relied upon the combination of Chabert U.S. Patent 5,353,995 (hereinafter Chabert) and Buhlmann U.S. Patent 5,584,931 (hereinafter Buhlmann).

The Examiner rejected claims 2-4 and 21-23 under 35 U. S. C. § 103. The Examiner relied upon the combination of Chabert, Buhlmann and Merritt et al U.S. Patent

5,768,800 (hereinafter Merritt) that was cited by Applicant as describing a fluidized bed.

The Examiner rejected claims 5-11, 13-14 and 24-29 under 35 U. S. C. § 103. The Examiner relied upon the combination of Chabert, Buhlmann, Merritt and Schaupp et al U.S. Patent 6,793,150 (hereinafter Schaupp).

Claim 1 specifically recites “coupling both the first electrode and the second electrodes to the supply of electrical charge.” Claim 19 specifically recites “a terminal through which electrical charge is introduced, [and] both the first electrode and the multiple second electrodes being coupled to the terminal.” Chabert does not teach that the first and second electrodes are coupled to the electrical charge supply as claimed in claims 1 and 19. In fact, Chabert requires that its counter-electrode to be grounded.

An annular cylindrical counter-electrode 45 is housed in an annular cavity between the body 11 and the cap 30. It is set back in the axial direction relative to the ionizer head. The counter-electrode is porous and covers a groove 46 in the body 11 fed with compressed air. The air escapes radially through equi-angularly spaced holes 47 in the cap 30. Thus the ions collected by the counter-electrode pass through the holes 47 but the air escaping from them prevents the powder accumulating on the counter-electrode. The latter is grounded by conductive members such as, in the example shown, a metal spring 48, a metal ball 49, another metal spring 50, a resistor 51 (500 MΩ), the connector 28 and the electrical cable 28a. Holes are provided in the body 11 for feeding the chambers 40 and 42 and the groove 46.

Chabert, col. 3, lines 14-16. Buhlmann also teaches that “[p]referably, the counterelectrode 44 is connected to ground potential 20.” Buhlmann, col. 3, lines 20-21. Buhlmann thus does nothing to overcome the above-noted deficiency of Chabert. Conversely, Chabert does nothing to overcome the above-noted deficiency of Buhlmann. The deficiencies of Chabert and Buhlmann as to independent claims 1 and 19 in this application are also deficiencies of the Chabert/Buhlmann combination. That which is neither disclosed nor suggested by either of the references cannot fairly be said to be suggested by any combination of them. As a result, claims 1 and 19 are now believed to be allowable.

Accordingly, Applicant submits that the 35 U. S. C. §103 rejection of claims 1 and 19 is overcome. Applicant further submits that since independent claims 1 and 19 distinguish patentably from the prior art of record, dependent claims 2, 5-11, 13-18, 20, 21 and 24-33, which depend directly or indirectly from one or the other of claims 1 and 19, patentably distinguish from the prior art of record as well. The Examiner’s 35 U. S. C. § 103 rejection of claims 2, 5-11, 13-18, 20, 21 and 24-33 is overcome. Further favorable

consideration, culminating in allowance of claims 1, 2, 5-11, 13-21 and 24-33, is respectfully requested.

The Commissioner is authorized to charge any fees, which may be due in order to constitute this a timely response to the January 31, 2006 official action, to Deposit Account 10-0435 with reference to Applicant's undersigned counsel's file 3030-72217. A duplicate copy of this authorization is enclosed for that purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard D. Conard", written in a cursive style.

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